

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Figure 1.

This sheet, which includes Figure 1, replaces the original sheet including Figure 1.

Appendix A: Replacement Sheet

## **REMARKS**

Upon entry of this amendment, independent claim 5 with dependent claims 6-9 will be present in the application.

Claim 5 has been amended to include the limitations of claim 10. Claim 5 has also been amended to recite that the dewatering device includes a plug screw press. This structure is disclosed on page 3, lines 27-29, of the specification and shown in Figure 2. Accordingly, such amendment does not introduce any new matter.

Figure 1 has been designated as "Prior Art" as requested in the Office Action.

Claims 1-3 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. 4,259,147 (Gordy) and claim 4 was rejected under 35 U.S.C. § 103(a) as being obvious over Gordy in view of GB 658,104 (Boija). Claims 1-4 have been canceled. Accordingly, the rejection of such claims are moot.

Claims 5 and 6 were also rejected under 35 U.S.C. § 102(b) as being anticipated by Gordy. However, such rejection does not account for all of the limitations of claim 5 and is therefore improper. Claim 5 recites that the dewatering device is provided in the connection device connecting the digester to the refiner. While Gordy may disclose the use of a dewatering device, there is nothing in Gordy that teaches or suggests that such dewatering device be located in the device connecting the digester to the refiner. Gordy simply does not disclose such structure. Nor can it be alleged that Gordy inherently discloses such structure. "The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic." MPEP § 2112 "The mere fact that a certain thing may result from a given set of circumstances is not sufficient [to establish inherency]." In re Rijckaert, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993). It is not necessary that the dewatering process taught by Gordy be performed by an apparatus disposed in the direct connection between the digester and the refiner.

In addition, claim 5 has been amended to include the limitations of claim 10. The Office Action of June 1, 2006 admits that the Gordy reference does not disclose the rotating peeling head previously recited in claim 10. Accordingly, the rejection of claims 5 and 6 under 35 U.S.C. § 102(b) is moot.

Claim 10 was rejected under 35 U.S.C. § 103(a) as being obvious over Gordy in view of U.S. 4,491,504 (Engall). The Office Action alleges that the conical plug disclosed in Engall is equivalent to the subject invention's rotating peeling head and further "construes the shaft extending from the conical plug to indicate that the conical plug rotates." The Applicants respectfully submit that the Examiner is not free to construe the prior art in a manner that is not supported by such prior art.

First, although Engall briefly discusses the conical plug 64, no such structure is identified in any of the Figures. Assuming that conical plug is the structure appearing just to the left of reference numeral 16 in Figure 5, the Applicants are unable to ascertain what "shaft" is being referred to in the Office Action. A first "shaft" element extends from the right side of the conical plug toward the inner wall of impregnation housing 14. Since the inner wall of the impregnation housing is not shown, it cannot be determined how this "shaft" element interfaces with the impregnation housing. Since the conical plug cannot simply float within the impregnation housing, the only inherent teaching of Figure 5 is that this first "shaft" element supports the conical plug within the impregnation housing 14. Some sort of exterior fitting is mounted to the right-hand exterior surface of the impregnation housing and an additional "shaft" element extends therefrom. There is nothing in Engall that teaches or suggests that this second "shaft" element is connected in any way to the first "shaft" element.

As shown above, it cannot be shown that the second "shaft" element is necessarily connected to the first "shaft" element. Assuming *arguendo* that it could be shown that the second "shaft" element is connected to the first "shaft" element, this would not necessarily show that the conical plug is rotatable by either of the "shaft" elements. Assuming *arguendo* that it could be shown that the second "shaft" element is connected to the first "shaft" element, it is possible that these "shaft" elements serve to axially position the conical plug relative to "the outlet of the feeder 12 "to provide a back pressure on the cellulosic material passing through the screw." Column 6, lines 43-44.

Engall does not disclose that conical plug 64 is rotatable. However, Engall does specifically disclose that conveyor 44 is rotatable, see Figures 3 and 4 and Column 4, line 54, to Column 5, line 2. The Applicants respectfully submit that if the "shaft" elements

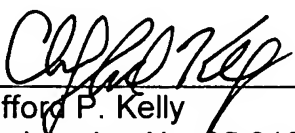
shown in Figure 5 were meant to be rotatable, Engall would have disclosed such either in the specification or the drawings as it does for conveyor 44.

Finally, the Office Action does not explain why the conical plug of Engall would be rotatable. The Applicants respectfully submit that absent the teaching of the subject application, there is no incentive to rotate the conical plug of Engall.

The various dependent claims add additional features to the independent claims, and are therefore believed to be allowable. Also, the dependent claims are believed patentably distinct on their own merits as being directed to combinations not suggested by the references.

In view of the above-directed amendments and the proceeding remarks, prompt and favorable reconsideration is respectfully requested.

Respectfully submitted,  
Wolfgang Lashofer et al

By   
Clifford P. Kelly  
Registration No. 35,213  
Alix, Yale & Ristas, LLP  
Attorney for Applicant

750 Main Street  
Hartford, CT 06103-2721  
(860) 527-9211  
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Our Ref: ANDPAT/183/US  
CPK/io